United Nations CCPR/C/SR.3096

International Covenant on Civil and Political Rights

Distr.: General
31 October 2014
English
Original: French

Human Rights Committee
111th session

Summary record of the 3096th meeting*
Held at the Palais Wilson, Geneva, on Friday, 25 July 2014, at 3 p.m.

Chairperson: Sir Nigel Rodley

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* No summary record was prepared for the 3094th or 3095th meetings.

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The meeting was called to order at 3 p.m.

Organizational and other matters

Methods of work (continued)

1. **The Chairperson** invited the Committee to continue the consideration, initiated at its 3077th meeting (see CCPR/C/SR.3077), of the draft conclusions, decisions and recommendations adopted by the chairpersons of the treaty bodies at their twenty-sixth annual meeting (document without a symbol distributed in the meeting room in English only).

2. **Ms. Seibert-Fohr** said that she was not sure that the suggestions contained in the draft conclusions, decisions and recommendations of the meeting of the chairpersons on the harmonization of concluding observations did anything more than describe the current practice of the Committee, as had been pointed out during the previous discussion on methods of work. In Annex II of the draft document, the treaty bodies were encouraged to set a time frame for the implementation of their recommendations, a suggestion that could be interpreted in a number of ways. Either it referred to the Committee's follow-up procedure, under which the States parties were requested to provide information on the follow-up to certain recommendations within the space of one year, which was not a problem, or it implied that, henceforth, all recommendations had to fit within a particular time frame, which seemed excessive. Furthermore, she was worried that in the draft the treaty bodies were invited to provide the States parties with guidelines on changes required in their legislation. Such an approach seemed somewhat hazardous, however, as the Committee did not have a mandate to tell legislative bodies what to do.

3. **The Chairperson** explained that the meeting of chairpersons had based their suggestion on the fact that States parties often complained that recommendations were too vague and that the committees' indications were not precise enough to give them a clear idea of what was expected of them. The suggestion was not in any way binding. It might happen, for instance in the case of the death penalty that the Committee would recommend that the State party concerned take legislative measures. It was up to the Committee to decide, in each case, how precise its recommendations needed to be. Likewise, the suggestion that a time frame should be set for the implementation of recommendations did not in any way imply that the Committee should alter its follow-up procedure in any way. There was, therefore, no cause for concern, as the Committee was perfectly free to take on board or reject the suggestions contained in the draft adopted by the meeting of the chairpersons.

4. **Ms. Seibert-Fohr** said that the Committee should discuss how to allocate the additional funding it had been granted by the General Assembly in order to improve its performance. In particular, she would like details of the schedule and length of the Committee's upcoming sessions.

5. **Mr. Shany** said that he had seen the secretariat's draft on resource allocation, from which it emerged that two sessions would be extended, one by a week, and the other by four days, and that it had been decided that the Committee would only meet in dual chambers starting in October 2015. Recalling that Committee members had to combine the needs of their professional careers with their activities as experts within the Committee, he pointed out that the longer sessions would imply significant upheavals for some members. Noting that the decision to postpone the holding of meetings in parallel chambers had been due to the arrival of new Committee members and the lack of human resources, he did not see why the Committee should not be split into two groups, considering that it had enough experienced members to offer newcomers support. Moreover, since the Committee was not expected to consider more State party reports at each session than usual, even during the

extended sessions, he did not see why the switch to parallel chambers would need to be postponed on account of staff shortages. While he was quite aware that the new procedure would lead to a significant increase in the secretariat's workload, it should not be forgotten that Committee members would equally be affected.

6. **The Chairperson** said that, at the request of the Bureau, the secretariat would look into the possibility of the Committee meeting in parallel chambers earlier than its October 2015 session. It seemed, however, that bringing the date forward would raise a number of complications, such as limited supply of meeting rooms and interpretation services, or the fact that a proposal on the scheduling of all the meetings organized by the Office of the United Nations High Commissioner for Human Rights had already been drawn up and was currently being considered by Conference Management in New York.

7. **Ms. Seibert-Fohr** said that she was in favour of the parallel chambers procedure but she doubted whether it could be introduced once the Committee had switched over to four-week sessions. Moreover, since the Committee currently considered six State party reports per session and since at that pace there would be no more outstanding reports by the end of 2015, she wondered how the Committee would use the extra meeting time it had been granted and whether it would not have been better to continue to stick to three-week sessions.

8. **The Chairperson** said that, insofar as it had expressly requested the extra weeks in order to tackle the backlog of State party reports and communications, the Committee had no choice but to make use of the extra time.

9. **Mr. Rodríguez-Rescia**, supporting the Chairperson, said that, if the Committee did not put the extra meeting time allowed to good use, it might forfeit any chance of obtaining additional resources in the future.

10. **The Chairperson** said that, notwithstanding the problems that certain Committee members might have to face as a result of having to prolong their stay in Geneva to attend the longer sessions, the parallel chamber option, although not entirely satisfactory, undeniably warranted serious consideration. Although it was currently being proposed as a temporary measure, it might well become a permanent fixture if the Committee had no other means of keeping up to date with its workload of reports and communications.

11. Moving on to the announcement of Bureau decisions, **the Chairperson** informed the Committee members that Mr. Rodríguez-Rescia had been appointed to the post of rapporteur on reprisals. In the absence of any objection, he would take it that the appointment was approved.

12. *It was so decided.*

13. **The Chairperson** said that the summary records of the three Bureau meetings held during the session had been distributed to the Committee members and that, in the absence of any objection, he would take it that they had been approved in their entirety.

14. *It was so decided.*

15. **The Chairperson**, summarizing the work carried out during the session, said that the Committee had adopted concluding observations on the reports of Chile, Sudan, Malawi, Georgia, Ireland and Japan, unedited versions of which had been put up on the Committee's web page. Among the highlights of the session, he pointed to the extremely impressive civil society inputs and presence during the consideration of the reports of Ireland and Japan, the presence, for the first time, of four national human rights institutions, and the widespread media coverage of the Committee's work. As to the 38 communications dealt with by the Committee, 7 had been found inadmissible, while 26 decisions had been adopted on the merits and 5 cases had been discontinued. The Committee had adopted lists of issues on

Cambodia, Côte d'Ivoire, France, Russian Federation, Cyprus, Poland and Mexico and had begun its second reading of the draft general comment on article 9, which it hoped to finalize at its next session, taking into account the comments of a large number of stakeholders. As to methods of work, the Committee had considered the outcome of the meeting of the treat body chairpersons and had adopted most of the proposals made relating to the implementation of the General Assembly resolution on strengthening the treaty bodies. The Committee had also adopted the secretariat's proposal on how to deal with the extra meeting time that would be available in 2015 – three and a half days in March and an extra week in both July and October. Without prejudice to the discussion on that issue that had just taken place, the Committee would meet in parallel chambers during the fourth week of its October session. As to cooperation with other treaty bodies, the Committee had met with the Committee on the Elimination of Discrimination against Women for the fourth time and it was grateful to the Geneva Academy of International Humanitarian Law and Human Rights and the Government of Switzerland for having hosted the event. The Chairperson recalled that the next session of the Committee would be held from 7 to 31 October 2014 and that the extra week would be used to consider communications. Further information on the agenda for that session would be sent to members in due course.

Closure of the session

16. After an exchange of courtesies, **the Chairperson** declared closed the 111th session of the Human Rights Committee.

The meeting rose at 3.45 p.m.